

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

FRANCINE DAVIS, Now known as Francine Adams, Individually and as Parent and Natural Guardian of AUSTIN DAVIS,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:15-1986
	:	
v.	:	
	:	(JUDGE MANNION)
NORTHEAST EDUCATIONAL INTERMEDIATE UNIT 19 (NEIU), LAKELAND SCHOOL DISTRICT, and CRISTA PARRY,	:	
	:	
Defendants	:	

ORDER

For the reasons stated in the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT** defendants NEIU's and Parry's motion to dismiss, (Doc. [16](#)), and defendant LSD's motion to dismiss, (Doc. [15](#)), are **GRANTED** as the court lacks subject matter jurisdiction over the plaintiff's federal claims. The plaintiff's federal claims against the defendants, Count I and Count II, are **DISMISSED WITHOUT PREJUDICE**.

The court declines to exercise supplemental jurisdiction over the plaintiff's remaining state law claims. Accordingly, the plaintiff's assault and battery (Count II), intentional infliction of emotional distress (Count III), and breach of fiduciary (Count IV) claims against defendant Crista Parry are

remanded to the Court of Common Pleas of Lackawanna County for further proceedings. The clerk of court is directed to close this case.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: September 29, 2016

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